

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:04cr304

UNITED STATES OF AMERICA

vs.

DARRELL EUGENE DIGSBY

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se to correct his presentence report (PSR). (Doc. No. 64).

The defendant complains that information in the PSR is causing the Bureau of Prisons (BOP) to house him in a high-level security institution. The judgment imposing the defendant's sentence was entered on August 29, 2005. (Doc. No. 43). The Fourth Circuit affirmed the defendant's conviction and sentence on June 15, 2006. (Doc. No. 55: Opinion). The Opinion details the facts regarding the defendant's entry into a residence and assaulting a person within. (Id. at 2-3). The statutes cited by the defendant, 28 U.S.C. §§ 1331 and 3231, do not provide any basis in law to litigate his claim more than two years after the judgment became final.

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

Signed: October 14, 2008



Robert J. Conrad, Jr.
Chief United States District Judge

